



Agenda Item No. 7(A)(1)(G)

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Honorable Chairperson Barbara Carey-Shuler, Ed. D.
and Members
Board of County Commissioners

A handwritten signature in black ink, appearing to read "G. Burgess", is written over the text of the "TO:" field.

DATE: December 4, 2003

SUBJECT: Authorization to Negotiate and Execute
a Memorandum of Agreement between
Miami-Dade County and the
Transportation Security Administration
for the North Terminal Development
Program and South Terminal Program
EDS Inline Baggage Solution

FROM: George M. Burgess
County Manager

RECOMMENDATION

It is recommended that the Board approve the attached resolution which authorizes the County Manager or his designee to negotiate and execute a Memorandum of Agreement (MOA) between Miami-Dade County and the Transportation Security Administration (TSA) for reimbursement of 75% to 100% of eligible costs associated with the planned installation of Explosive Detection Systems (EDS) inline with the baggage systems within the North Terminal Development Program and South Terminal Program at Miami International Airport (MIA).

BACKGROUND

The Aviation Transportation Security Act (ATSA), enacted on November 19, 2001, mandated the initiation of security procedures and the deployment of security equipment with the intent of providing 100% explosives detection baggage screening capability for all U.S. airports on or before December 31, 2002. The TSA's objective was to meet the mandated deadline with an initial deployment of Explosives Detection System (EDS) and Explosives Trace Detection (ETD) screening equipment. In an interim plan for MIA, the TSA installed EDS and ETD screening equipment in the second level terminal areas, the first level baggage make-up areas and the receiving areas outside the Federal Inspection Stations (FIS) on a temporary basis, as the permanent deployment of this equipment within these areas would have an adverse effect on both airport and air carrier operations.

This solution, given the critical time frame, provided additional time for more complex airports, such as MIA, to work with the TSA to develop effective, permanent solutions for the final placement of these screening systems. Given the 100% screening requirement, the size of the EDS equipment, the quantity of the ETD equipment and the number of personnel required to operate the explosives detection screening equipment, the TSA determined that the integration of the EDS and ETD equipment with existing and proposed baggage systems would provide the most effective means of accomplishing the intent of the ATSA at MIA. The Homeland Security Act of 2002 imposed a deadline of December 31, 2003 to meet this goal.


As a result of the December 31, 2003 deadline, the TSA has reviewed and requested MDAD to modify current baggage conveyor designs with the North Terminal Development and South Terminal Programs to accommodate the in-line baggage screening equipment. The North Terminal Development Program is currently in construction and has begun design reviews with the TSA to determine what baggage areas must be modified or reconfigured to accommodate the TSA. The South Terminal Program has reviewed the baggage systems designs with the TSA to determine the modifications necessary to reconfigure the current designs based upon TSA review comments.

The Consolidated Appropriations Act of 2003 provided the TSA with a means to assist airports in funding terminal and the baggage systems modifications necessary to accommodate the in-line baggage installation of the EDS and ETD screening equipment. The funding, in the form of a Memorandum of Agreement (MOA) and a Letter of Intent (LOI), provides for reimbursement in an amount equal to 75% to 100% of the eligible project costs.

The Aviation Department has been working with the TSA on a mutually agreeable MOA/LOI and a design concept of in-line baggage screening operation. The purpose of the MOA/LOI is to define the parties' agreement with respect to funding amounts and schedules for performance of work for the replacement of baggage conveyor systems or reconfiguration of baggage areas to install in-line EDS equipment within MIA's North and South Terminals. If the County agrees to initially fund the project, the TSA shall reimburse the County at least seventy-five percent (75%) of the total project costs or other such percentage of the project costs as may be provided for in authorization and appropriation laws in effect at the time the County applies for reimbursement.

The current federal obligation is set to an amount not to exceed 75% of the estimated total North Terminal Development Program and South Terminal Program Project costs of \$177,206,846, which amounts to \$133,905,135. Upon application by the County, and after funds have been appropriated and obligated, the TSA shall issue funds to reimburse the County from future budget authority over a four-year period. The effective date of the MOA / LOI will be the date of the last signature and will remain in effect until September 30, 2007.

It is therefore recommended, as being in the best interest of the County, that the Board authorize the County Manager or his designee to negotiate and execute a Memorandum of Agreement between Miami-Dade County and the Transportation Security Administration (TSA) for reimbursement of costs associated with the planned installation of EDS inline with the baggage systems within the North Terminal Development Program and South Terminal Program at Miami International Airport.



Assistant County Manager




MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: December 4, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(A)(1)(G)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

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12-4-03

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND WITHOUT FURTHER REFERRAL BACK TO THIS BOARD TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TRANSPORTATION SECURITY ADMINISTRATION FOR REIMBURSEMENT TO THE COUNTY OF NOT LESS THAN SEVENTY FIVE PERCENT OF ELIGIBLE COSTS ASSOCIATED WITH THE INSTALLATION OF EXPLOSIVE DETECTION SYSTEMS INLINE WITH THE BAGGAGE SYSTEMS WITHIN THE NORTH TERMINAL AND SOUTH TERMINAL DEVELOPMENT PROGRAMS AT MIAMI INTERNATIONAL AIRPORT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the County Manager or his designee to negotiate and, without further referral back to this Board, to execute a Memorandum of Agreement between Miami-Dade County and the Transportation Security Administration which shall provide for reimbursement to the County of not less than seventy five percent (75%) of eligible costs associated with the installation of Explosive Detection Systems inline with the baggage systems within the North Terminal Development Program and the South Terminal Development Program at Miami International Airport.

The foregoing resolution was offered by Commissioner
, who moved its adoption. The motion was
seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly
passed and adopted this 4th day of December, 2003. This
resolution shall become effective ten (10) days after the date
of its adoption unless vetoed by the Mayor, and if vetoed, shall
become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. BW

By: _____
Deputy Clerk

Roy Wood

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